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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF:

GARY M. FADER ET. AL.

ATTY. DOCKET NO.: BB-1339

APPLICATION NO.: 09/857581

GROUP ART UNIT: 1652

FILED: JUNE 05, 2001

EXAMINER: D. M. RAMIREZ

CONFIRMATION NO.: 6372

FOR: NUCLEIC ACID FRAGMENTS ENCODING
ISOFLAVONE SYNTHASE

PRELIMINARY AMENDMENT

Mail Stop RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This is submitted in response to the Advisory Action dated October 19, 2004 (hereinafter "Advisory Action").

This Amendment also serves as a submission under 37 C.F.R. § 1.114 for the request for Continued Examination filed simultaneously herewith. Please enter the following:

A petition for Extension of Time for two (2) months, up to and including February 10, 2005 is filed simultaneously herewith.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of Claims which begins on page 6 of this paper.

Amendments to the Sequence Listing begin on page 49 of this paper.

Remarks begin on page 50 of this paper.

An amended **Sequence Listing** is attached following page 53 of this paper.